

**FILED**

**UNDER**

**SEAL**

DANIEL G. BOGDEN  
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UNITED STATES DISTRICT COURT  
District of Nevada

UNITED STATES OF AMERICA,	)	Case No. 2:16-CR-00378-JCM-CWH-1
Plaintiff,	)	
	)	
v.	)	PETITION FOR ACTION
	)	ON CONDITIONS OF
Brian C. FISHER	)	<u>PRETRIAL RELEASE</u>
Defendant	)	

Attached hereto and expressly incorporated herein is a Petition for Action on Conditions of Pretrial Release concerning the above-named defendant prepared by Zack Bowen, Senior United States Pretrial Services Officer. I have reviewed that Petition and believe there is sufficient credible evidence which can be presented to the Court to prove the conduct alleged, and I concur in the recommended action requested of the Court.

Dated this 21<sup>st</sup> day of January, 2017.

DANIEL G. BOGDEN  
United States Attorney

By /S/ .  
ELHAM ROOHANI  
Assistant U. S. Attorney

**UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF NEVADA**

U.S.A. vs. BRIAN C. FISHER

Docket No. 2:16-CR-00378-JCM-CWH-1

Petition for Action on Conditions of Pretrial Release

COMES NOW ZACK BOWEN, SENIOR UNITED STATES PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant Brian C. Fisher. The defendant initially appeared on August 17, 2015, before Your Honor and was subsequently ordered released on a personal recognizance bond, with the following conditions of release:

1. Pretrial Services supervision.
2. Do not obtain a new passport or any other travel documents.
3. Maintain current residence and do not move without Pretrial Services approval.
4. Refrain from the use or possession of any weapon, firearms, or other destructive devices.
5. Any firearms and/or dangerous weapons shall be removed from the defendant's residence within 24 hours of release from custody and the defendant shall provide written proof of such to Pretrial Services or the supervising officer.
6. Submit to a mental health assessment and treatment as deemed necessary by Pretrial Services and pay associated costs, based upon ability.
7. Travel restricted to Clark County, Nevada.
8. The defendant shall not have access to computers or connecting devices which has internet, instant messaging, IRC servers and or the World Wide Web, including but not limited to: PDA's, cell phones, iPods, iPads, tablets, E-readers, Wii, PlayStation, Xbox or any such devices, at home, place of employment or in the community.
9. The defendant shall not be employed in, or be present in, any setting directly involving minor children.
10. The defendant must not possess any pornographic or erotica in any form or medium.
11. The defendant is prohibited from contact with anyone under the age of 18, with the exception of his children, unless in the presence of a parent or guardian who is aware of the alleged instant offense.
12. The defendant shall be monitored by the form of location monitoring indicated below and shall abide by all technology requirements. The defendant shall pay the costs of participation in the location monitoring program as directed by the Court and/or Pretrial Services Officer based upon ability to pay:
  - GPS Monitoring

This form of location monitoring technology shall be utilized to monitor the following restriction on the defendant's movement in the community as well as other court-imposed conditions of release:

- Restricted to residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities pre-approved by Pretrial Services **(Home Detention)**.

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On August 26, 2015, an order was signed by Your Honor adding the following conditions of release to the defendant's bond:

13. Submit to drug testing as deemed necessary by Pretrial Services and pay associated costs based upon his ability to pay.
14. Refrain from the illegal use or possession of controlled substances.
15. Do not associate with or be in the presence of those using or possessing controlled substances.
16. The defendant shall not obtain or renew a "medical marijuana" card within the State of Nevada or any other state.

On April 21, 2016, an order was signed by Your Honor adding the following conditions of release to the defendant's bond:

17. Refrain from the excessive use of alcohol.
18. Submit to any method of alcohol testing deemed necessary by Pretrial Services and pay associated costs based upon ability.
19. Participate in inpatient residential or outpatient substance abuse treatment as directed by Pretrial Services and pay associated costs based upon ability.


**Respectfully presenting petition for action of Court and for cause as follows:**

On today's date at 9:20 PM, the defendant's wife contacted this officer and reported the defendant had been drinking and was "drunk." She reported that she and the defendant were in a verbal argument, he then physically assaulted her, physically assaulted their minor son and daughter when they tried to intervene, and that he was subsequently arrested by the Henderson Police Department and taken into custody. On that same date, our office confirmed with the Henderson Detention Center that the defendant had been arrested and is being charged with Domestic Battery and Child Abuse.

**PRAYING THAT THE COURT WILL ORDER THAT A WARRANT BE ISSUED UPON THE ALLEGATIONS OUTLINED ABOVE. FURTHER, THAT A HEARING BE HELD TO SHOW CAUSE WHY PRETRIAL RELEASE SHOULD NOT BE REVOKED.**

ORDER OF COURT

Considered and ordered this 21<sup>st</sup> day of January, 2017 and ordered filed and made a part of the records in the above case.




Honorable Peggy A. Leen  
U.S. Magistrate Judge

I declare under penalty of perjury that the information herein is true and correct. Executed on this 21<sup>st</sup> day of January, 2017.

Respectfully Submitted,



 Zack Bowen  
Senior United States Pretrial Services Officer  
Place: Las Vegas, Nevada